

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN
NORTHERN DIVISION

SHAYARTO PERKINS,

Plaintiff,

v.

Case No. 2:08-cv-97
HON. R. ALLAN EDGAR

RAYMOND BOOKER, et al.,

Defendants.

REPORT AND RECOMMENDATION

On June 9, 2010, the Honorable R. Allan Edgar entered an order of dismissal in this case, a copy of which is attached. The terms of the settlement between the parties were not made a part of the order of dismissal. The Court did not retain jurisdiction over this matter. Presently before the Court is Plaintiff's Motion and Brief For an Order of Enforcement of the Settlement Agreement Approved By This Court and For Sanctions Against Defendants. The motion should be denied pursuant to *Kokkonen v. Guardian Life Insurance Company of America*, 511 U.S. 375 (1994), a copy of which is attached.

Accordingly, it is recommended that Plaintiff's Motion and Brief For an Order of Enforcement of the Settlement Agreement Approved By This Court and For Sanctions Against Defendants (Docket #106) be denied.

NOTICE TO PARTIES: Objections to this Report and Recommendation must be served on opposing parties and filed with the Clerk of the Court within fourteen (14) days of receipt of this Report and Recommendation. 28 U.S.C. § 636(b)(1)(C); Fed. R. Civ. P. 72(b); W.D. Mich.

LCivR 72.3(b). Failure to file timely objections constitutes a waiver of any further right to appeal.

United States v. Walters, 638 F.2d 947 (6th Cir. 1981). *See also Thomas v. Arn*, 474 U.S. 140 (1985).

/s/ Timothy P. Greeley

TIMOTHY P. GREELEY

UNITED STATES MAGISTRATE JUDGE

Dated: February 3, 2011